

Application No. 09/729,411  
Amendment dated October 21, 2003  
Reply to the Office Action dated April 21, 2003  
Docket No.: 7207-210

### **REMARKS**

Claims 1-69 appear in this application for the Examiner's review and consideration. Applicants respectfully request reconsideration of this application.

The Examiner objected to the drawings under 37 CFR 1.83(a) because they fail to identify "The Authentidate server 906" as described in the specification. Accordingly, applicants propose a drawing correction to include Authentidate server 906 in Figures 1 and 3 by clarifying that engine 960 is also referred to as the Authentidate server 906. This amendment is supported in the specification which states at page 8, lines 4-6 that "[t]he Authentidate server 906 may maintain all of the software and hardware to perform the service, which may be referred to generally as the engine 960." Accordingly, the proposed amendment to the drawings is supported by the specification and does not add new matter. It is respectfully requested that the Examiner's objection to the drawings be withdrawn.

The Examiner rejected claims 1-60 and 66-69 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,327,656 to Zabetian for the reasons set forth in item 3 of the Office Action. Applicants respectfully traverse these rejections.

Independent claim 1 recites, inter alia, "recognizing an occurrence of an event of a computer system" and "in response to said occurrence of said event, performing a digital signature routine on said at least one digital file" and "creating a time stamp" and "sending said digital signature and said time stamp to a remote location" and "wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute."

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With respect to claims 1, 23, 41, 43, 45-46, 66 and 68, the Examiner states that Zabetian teaches “Recognizing an occurrence of an event on a computer system” that corresponds to a request to certify an electronic document (col. 6, lines 14-17), that Zabetian teaches “Sending said digital signature and said time stamp to a remote location” (Fig. 3, element 316, col. 4 line 65 – col. 5, line 4, col. 9, lines 29-65), and that “the user ‘does not need to perform any act exclusive to the method in order cause the method to automatically execute’” and the system will automatically locate the document if the user is a registered user. (Fig. 1, Fig. 2A-2B, col. 4, lines 4-24).

With respect to claim 1, applicant respectfully submits that Zabetian does not teach a method for registering at least one digital file that “recogniz[es] an occurrence of an event on a computer system” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute” as recited. According to the presently claimed invention, the user of the computer does not need to perform any act in order to register a digital file and the registration of a digital file automatically takes place upon the occurrence of a pre-specified event.

In contrast, Zabetian does not teach a method of automatically registering a file. Instead, Zabetian is directed to a method that requires the user to submit a request to the certification provider if the user desires to certify a document. See, e.g. col. 6, lines 13-16 (“A party may request certification . . .”) and col. 6, lines 21-22 (“Preferably, certification requests are made using electronic mail”). Thus, Zabetian does not teach or suggest automatic file registration upon the occurrence of some event on a computer system (e.g., every time a document is saved

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in a word processor program) but instead teaches that the user him or herself must determine if and when to register a document and then the user him or herself must send the request and document to the certification provider. See, e.g., col. 2, lines 2-4 (“The certification provider receives the party’s request for certification, along with the electronic document to be certified”).

Applicant further respectfully submits that Zabetian does not teach the step of “sending said digital signature and said time stamp to a remote location” as recited in claim 1. According to the presently claimed invention, a digital signature routine is performed on at least one digital file and a time stamp corresponding to the time in which it was submitted is created. The digital signature and time stamp are then sent to a remote location.

In contrast, Zabetian does not teach sending the digital signature and time stamp to a remote location. Instead, in Zabetian, the digital signature of the document is stored or maintained by certification provider 200 (Col. 4, line 65 – col. 5, line 1) and is not sent to a remote location. Moreover, Zabetian indicates that only the identification code (and not the digital signature or other information) are transmitted to the party making the request for certification. (Col. 5, lines 2-4).

In addition, applicant respectfully submits that element 316 in Figure 3 cited by the Examiner does not disclose sending the digital signature and time stamp to a remote location but merely refers to sending “Registration Information” to a client on how to become a registered user of the certification provider if he or she is not a registered member. (See Figure 3, item 306). Applicant further respectfully submits that element col. 9, lines 29-65 does not disclose

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sending the digital signature and time stamp to a remote location but indicates that a timestamp serial number will be returned to the user.

Accordingly, applicant respectfully submits that the claimed invention of independent claim 1 is not anticipated by Zabetian and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 1 be withdrawn for the foregoing reasons.

Independent claim 23 recites, inter alia, “recognizing an occurrence of an event of a computer system” and “in response to said occurrence of said event, sending at least one digital file to a remote location for creation of a digital signature and authenticating time stamp” and “wherein a user on the computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute.” Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 23 be withdrawn

Independent claim 41 recites, inter alia, “recognizing an occurrence of an event of a computer system” and “in response to said occurrence of said event ... performing a digital signature routine on said at least one digital file” and “sending said at least one digital file to a remote location for creation of a digital signature and authenticating time stamp” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute.” Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian

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does not disclose similar limitations in claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 41 be withdrawn.

Independent claim 43 recites, inter alia, “receiving at a server remote to a computer system a digital signature corresponding to said at least one digital file, said digital signature having been created on said computer system in response to an event at said computer system” and “determining a time stamp corresponding to the time of receipt of said digital signature” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute.”

Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1 and further submit that Zabetian does not disclose receiving at a server remote to a computer system a digital signature that has been created on the computer system in response to an event. Instead, Zabetian indicates that the digital signature of the document is generated by the certification provider 200 and a digital signature is not received. See, e.g., col. 2, lines 2-6 (“The certification provider receives the party’s request for certification, along with the electronic document to be certified. To perform certification, a unique digital signature is extracted from the electronic document”). Accordingly, applicants further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 43 be withdrawn.

Independent claim 45 recites, inter alia, “receiving at a remote server said at least one digital file, said at least one digital file having been sent from a computer system in response to an event at said computer system” and “performing a digital signature routine on said at least one

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digital file” and “determining a time stamp corresponding to the time of receipt” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause said computer system to send said at least one digital file.” Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 45 be withdrawn

Independent claim 66 recites, inter alia, “recognize an occurrence of an event of a computer system” and “in response to said occurrence of said event, perform a digital signature routine on said at least one digital file” and “create a time stamp” and “send said digital signature and said time stamp to a remote location” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause the method to automatically execute.” Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 66 be withdrawn

Independent claim 68 recites, inter alia, “perform a digital signature routine on at least one digital file . . . wherein said at least one digital file was sent from a computer system in response to an event at said computer system” and “determine a time stamp corresponding to the time of receipt” and “wherein a user on said computer system does not need to perform any act exclusive to the method in order to cause said computer system to send said at least one digital

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file.” Applicants respectfully submits that Zabetian does not disclose these claim limitations for the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 68 be withdrawn

The examiner also indicated in item 3 of the Office action that dependent claim 46 is anticipated by Zabetian. Claim 46 depends on claim 45 and further recites, inter alia, “receiving . . . a user key, and wherein . . . a digital signature routine on said at least one digital file and said user key” is performed. Applicants respectfully submit that the Examiner has not identified the disclosure of this limitation in the Office Action and that Zabetian does not teach performing a digital signature routine on a digital file and a user key but instead indicates that a digital signature is extracted from the electronic document. (Col. 2, lines 4-6). Applicants respectfully submits that Zabetian does not anticipate claim 46 for this reason and, because claim 46 depends from claim 45, for the additional reasons that claim 45 is not anticipated by Zabetian as discussed above.

Dependent claims 2 and 24 depend on claims 1 and 23 respectively and recite “wherein said occurrence of said event is the execution of a command in a third party software program maintained on said computer system.” Claims 3 and 25 depend on claims 2 and 24 respectively and recite “wherein said occurrence of said event a specified number of occurrences of said execution of said command in said third party software program.” Claims 4 and 26 depend on claims 2 and 24 respectively and disclose “wherein said occurrence of said event is the saving of a document in a word processing program.”

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With respect to claims 2-4 and 24-26, the Examiner states in item 3 of the Office Action that “[a] third party software program’ corresponds to a third user that needs to verify the document . . .” (Fig 1) and that “said event is the execution of a command in a third party software program’ corresponds to the verification request of a specified number of documents that occurs on the recipients.” Applicants respectfully submit that Zabetian does not teach automatic registration of a digital file upon occurrence of an event that is the execution of a command in a third party software program (e.g., upon the saving of a document in a Word Processing program) according to the presently claimed invention of claims 2 and 24. Instead, Zabetian indicates that the user him or herself must make the verification request.

With respect to claims 3 and 25, applicants further respectfully submit that the Examiner has not identified any disclosure in Zabetian in which the occurrence of the event which automatically registers the digital file is a specified number of occurrences of the execution of the command in the third party program (e.g., every forth time a document is saved in a word processing program).

With respect to claims 4 and 26, applicants further respectfully submit that Zabetian does not disclose the occurrence of the event causing the digital file to be automatically registered to be the saving of a document in a word processing program. Applicant respectfully submits the sentence in column 6, lines 16-19 relied on by the Examiner does not disclose this limitation but merely states that electronic document itself can include “text, graphics, sound, music, sketches, and video clips” and includes no disclosure about automatically registering a digital file upon the occurrence of the event of saving a document in a word processing program.



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Accordingly, applicants respectfully submit that the claimed invention of dependent claims 2-4 and 24-26 are not anticipated by Zabetian and further respectfully request that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

Claims 5 and 27 depend on claims 1 and 23 respectively and recite, inter alia, "wherein said occurrence of said event is the passage of a specified amount of time." Claims 6 and 28 depend on claims 1 and 23 respectively and recite, inter alia, "wherein said occurrence of said event is a specified time of day." The Examiner indicated in item 3 of the Office Action that because the time stamp shows exactly the time of day that the document was submitted, this corresponds to the "specified time of day."

Applicants respectfully submit that Zabetian does not disclose automatically registering a digital file upon recognizing a specified time of day or upon recognizing the passage of a specified amount of time. Instead, Zabetian indicates that a document will be certified upon a request sent from a user. Although Zabetian mentions that the date and time of the certification may be included in the certification information, a method of registering a digital file upon recognition of the passage of a specified amount of time or a specified time of day is not taught.

Accordingly, applicants respectfully submit that the claimed invention of dependent claims 5-6 and 27-28 are not anticipated by Zabetian and further respectfully request that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

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Claims 7, 29 and 47 depend on independent claims 1, 23 and 25 respectively and recite, inter alia, “wherein said at least one digital file is a class of digital files.” Claims 8, 30, and 48 depend from claims 7, 29 and 47 respectively and recite, inter alia, “wherein said class of digital files is identified by a filename extension.” Claims 9, 31, and 49 depend from claims 7, 29 and 47 respectively and recite, inter alia, “wherein said class of digital files is identified by a storage location of said computer system.” Claims 10, 32, and 50, depend from claims 7, 29 and 47 respectively and recite, inter alia, “wherein said class of digital files is identified by a project designation at said computer system.” Claims 11, 33 and 51, depend from claims 7, 29 and 47 respectively and recite, inter alia, “wherein member digital files of said class of digital files are digital files that have been modified during a period of time.”

The Examiner indicated in item 3 of the Office Action with respect to claims 7-11, 29-33 and 47-51 that “[s]aid at least one digital file is a class of digital files’ and ‘is identified by a filename extension or project designation” (Col. 4, lines 15-20). Applicants respectfully submit that Zabetian does not disclose automatic registration of a class of digital files upon recognizing an occurrence of an event (e.g., automatically registering all documents that are identified by specific filename extension at a specified time such as at the end of each business day). Instead, column 4, lines 15-20 merely indicates that a document on a floppy disk may be certified. In Zabetian, the user makes a request for a certification of a certain document. Zabetian does not teach automatic registration of classes of documents. Applicant further respectfully submits that the specific limitations recited in claims 8-11, 30-33, 48-51 are not disclosed in Zabetian and the Examiner has not identified these limitations in Zabetian.

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Accordingly, applicants respectfully submit that the claimed invention of dependent claims 7-11, 29-33, and 47-51 are not anticipated by Zabetian and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

Claims 12 and 52 depend from claims 1 and 45 respectively and recite, inter alia, "receiving a receipt, the receipt including said time stamp, said digital signature, and an identifier of said at least one digital file." Claims 14, 36 and 54 depend from claims 1, 23 and 45 respectively and recite, inter alia, "wherein said time stamp includes a number representing a quantity of units of measure of time from a predetermined point in time." Claims 15, 37 and 55 depend on claims 14, 36 and 54 respectively and recite, inter alia, "wherein said number represents a quantity of seconds from a predetermined point in time."

The Examiner indicated in item 3 of the Office Action that the limitations in claims 12-15, 34-37, 52-55 are disclosed in column 9, lines 53-65. Applicants respectfully submit that Zabetian does not disclose a receipt that includes a digital signature and an identifier of the document as recited in claims 12 and 52. Instead, the disclosure in column 9, lines 53-65 relied upon by the Examiner indicates that only a Timestamp Serial Number is included. Also, column 9, lines 53-65 do not teach a time stamp including a number representing a quantity of units of measured from a predetermined point in time as recited in claims 14, 15, 36, 37, 54 and 55. Instead, the message includes merely indicates the time of day and the date and not a number representing a quantity of units measured from a predetermined point in time.

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Accordingly, applicants respectfully submit that the claimed invention of dependent claims 12, 14, 15, 36, 37, 52, 54 and 55 are not anticipated by Zabetian. Claims 13, 35 and 53 depend from claims 1, 23 and 45 respectively and are not anticipated for at least the reasons claims 1, 23 and 45 are not anticipated as discussed above. Accordingly, applicants respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claims 12-15, 34-37 and 52-55 be withdrawn for the foregoing reasons.

The Examiner indicated in item 3 of the Office Action that claims 16-19, 42 and 56-59 are anticipated by Zabetian. Applicant respectfully submits that because claims 16-19 depend from claim 1, claim 42 depends from claim 41 and claims 56-59 depend from claim 45, these claims are not anticipated for at least the reasons claims 1, 41 and 45 are not anticipated as discussed above. Accordingly, applicants respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claims 16-19, 42 and 56-59 be withdrawn for the foregoing reasons.

Claim 44 depends from claims 43 and recites, inter alia, "receiving at said remote server a user key and creating a second digital signature based on said user key and first said digital signature." Claim 69 depends on claim 68 and recites, inter alia, "performing a digital signature routine on said at least one digital file and a user key to obtain a digital signature of said at least one digital file and said user key." Claims 67 depends on claim 66 and recites, inter alia, "wherein said plurality of instructions further includes instructions which, when executed by a processor, causes said processor to send a user key to said remote location."

With respect to claims 44 and 69, applicant respectfully submits that the Examiner has not identified any disclosure in Zabetian including the limitations in these claims in the Office

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Action and that Zabetian does not teach performing a digital signature routine on a digital file and a user key but instead indicates that a digital signature is extracted from the electronic document. (Col. 2, lines 4-6). With respect to claim 67, applicants respectfully submit that the Examiner has not identified any disclosure in Zabetian including the limitation recited in this claims and that Zabetian does not teach automatic registration of a digital file in which the plurality of instructions cause the processor to send a user key to the remote location. In Zabetian, the user himself must make the request for certification of a document.

Accordingly, applicants respectfully submit that the claimed invention of dependent claims 44, 67 and 69 are not anticipated by Zabetian and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

Claims 20, 38 and 60 depend from claims 1, 23 and 45 respectively and recite, inter alia, “wherein said event is determined by a function call from a function from a software developer’s kit.” The Examiner indicated in item 3 in the Office Action that Zabetian discloses this in Figure 3 where the function call is determined by the system to verify if the user is registered and located the document. Applicant respectfully submits Zabetian does not teach the recited function call of claims 20, 38 and 60 which depend on claims 1, 23 and 45 respectively that recite that the user need not perform any act exclusive to the method in order to register the digital file. In Figure 3, registration is not automatic. Instead, the certification process is only started if the user him or herself sends a request and document to the certification provider to certify the document.

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Accordingly, applicants respectfully submit that the claimed invention of dependent claims 20, 38 and 60 are not anticipated by Zabetian and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

Claims 21 and 39 depend on claims 1 and 23 respectively and recite "wherein said occurrence of said event is an operation modifying a digital file on said computer system." Claims 22 and 40 depend on claims 1 and 23 respectively and recite "wherein said occurrence of said event is an operation upon a digital file on said computer system."

The examiner indicated in item 3 of the Office Action that these limitations correspond to the operation of a client that wants to verify a document. (Col. 5, lines 5-8). Applicants respectfully submit that the recited limitations do not correspond to this disclosure in Zabetian and that Zabetian does not teach automatic registration of a digital file upon occurrence of an event that is either upon a user modifying a digital file on the computer system or upon there being an operation upon a digital file on the computer system (e.g., upon the saving of a document in a Word Processing program). Instead, Zabetian indicates that the user him or herself must make the verification request.

Accordingly, applicants respectfully submit that the claimed invention of dependent claims 21, 22, 39 and 40 are not anticipated by Zabetian and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing reasons.

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The Examiner also rejected claims 61-65 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,656 to Zabetian and in view of U.S. Patent Not. 6,021,491 to Renaud for the reasons set forth in item 4 of Office Action. Applicants respectfully traverse these rejections.

Applicants respectfully submit that because claims 63 and 64 ultimately depend from claim 45, claims 63 and 64 are not rendered obvious for at least the reasons claims 45 is not anticipated as discussed above. Accordingly, applicants respectfully requests that these claim rejections under 35 U.S.C. 103 with respect to claims 63 and 64 be withdrawn.

Claim 61 depends from claim 45 and recites, inter alia, “wherein steps (b) and (c) are performed a plurality of times to create a plurality of digital signatures and a plurality of digital time stamps” and “performing a digital signature routine on said plurality of digital signatures and said plurality of digital time stamps to obtain a superhash digital signature.” Claim 62 depends from claim 61 and recites, inter alia, “sending said superhash digital signature to another server.”

The Examiner acknowledges that Zabetian fails to disclose the recited function in claims 61 and 62 but states that Renaud discloses a method to obtain a digital signature for data streams, that includes plurality of files, each file having different digital signature and time stamp. (Fig 3a-3b, col. 6, line 40-64). Applicant respectfully submits that Renaud does not teach “performing a digital signature routine on said plurality of digital signatures and said plurality of digital time stamps to obtain a superhash digital signature.” Renaud merely states that “[d]ata structure 300 includes a signature file 302” (col. 6, lines 42-43) and does not teach applying a

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digital signature routine on a plurality of digital signatures and time stamps already obtained to further obtain a superhash digital signature. Renaud further does not teach “sending said superhash digital signature and said time stamp corresponding to said time of creation of said superhash signature to another server” as recited in claim 62 and applicants respectfully submit that the Examiner has not identified any such teaching.

Applicants respectfully submit that for these reasons and for the additional reason that claims 61 and 62 ultimately depend from claim 45 which applicants submit is not anticipated for the reasons stated above, claims 61 and 62 are not rendered obvious under 35 U.S.C. 103(a) over Zabetian in view of Renaud. Accordingly, applicants respectfully requests that these claim rejections under 35 U.S.C. 103 with respect to claims 61 and 62 be withdrawn.

Claim 65 depends on claim 64 and ultimately depends from claim 45 and recites, inter alia, “receiving at said remote server a user key, and wherein said performing a digital signature routine on said at least second digital file is performing a digital signature routine on said second at least one digital file and said user key.” Applicants respectfully submit that the Examiner has not identified the disclosure of this limitation in the Office Action and that Zabetian does not teach performing a digital signature routine on a digital file and a user key but instead indicates that a digital signature is extracted from the electronic document. (Col. 2, lines 4-6). Applicant further respectfully submits that the Examiner has not identified any disclosure in Renaud teaching the claim limitation in claim 64 notwithstanding that claim 64 was rejected as being unpatentable over Zabetian in view of Renaud. Accordingly, applicants respectfully submit that neither Zabetian nor Renaud, either alone or in combination, anticipate or render obvious claim



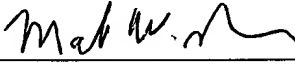
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64 for this reason and, because claim 64 ultimately depends from claim 45, for the additional reasons that claim 45 is not anticipated by Zabetian as discussed above.

In view of the foregoing, applicants therefore respectfully submit that the rejection of claims 1-60 and 66-69 under 35 U.S.C. 102(e) and the rejection of claims 61-65 under 35 U.S.C. 103(a) have been overcome. Claims 1 – 69 are believed to be in condition for allowance, which allowance is respectfully requested. The Commissioner is authorized to charge any fees that may be required in connection with this response to Deposit Account No. 50-0521 for any matter in connection with this response, including any fee for extension, which may be required.

Respectfully submitted,

Dated: October 21, 2003

  
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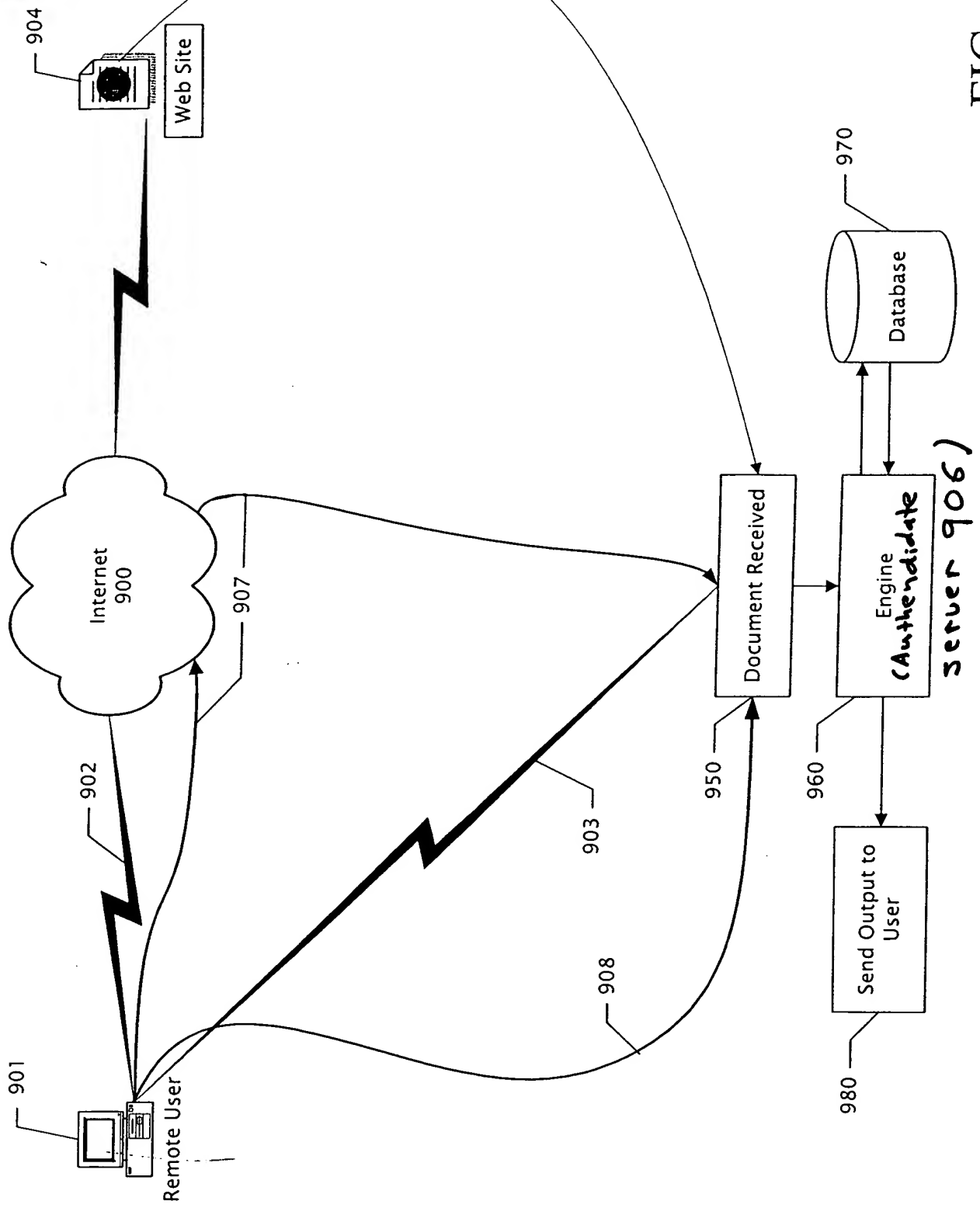


FIG. 1

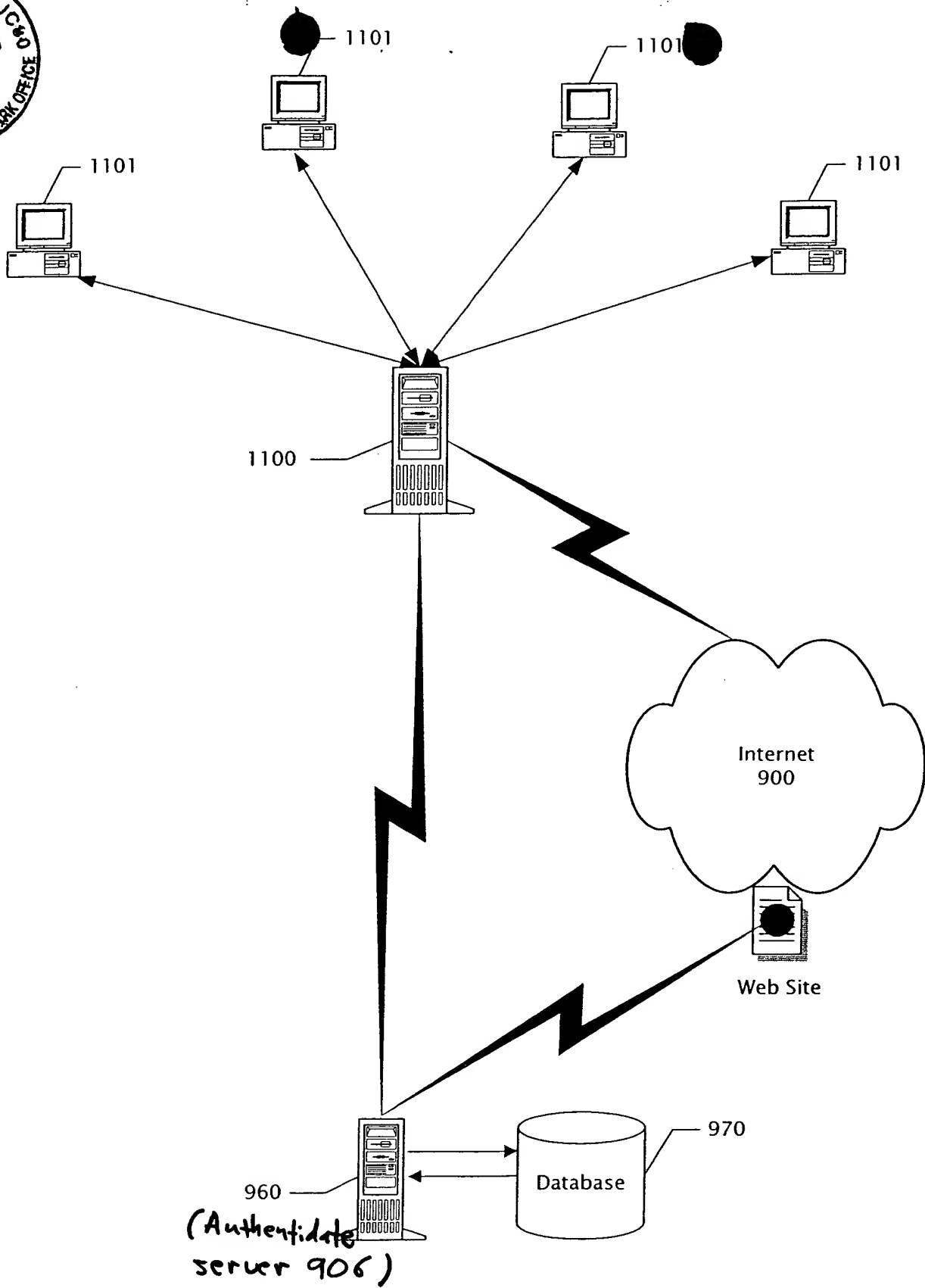


Fig. 3